

STATE OF WISCONSIN

Senate Journal

Ninety–Ninth Regular Session

TUESDAY, March 30, 2010

The Chief Clerk makes the following entries under the above date.

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 595** offered by Senator Kreitlow.

Senate substitute amendment 1 to **Senate Bill 599** offered by Senator Vinehout.

Senate amendment 1 to **Senate Bill 615** offered by Senator Plale.

Senate amendment 2 to **Senate Bill 633** offered by Senator Miller.

The Chief Clerk makes the following entries dated **Monday, March 29, 2010**.

AMENDMENTS OFFERED

Senate amendment 1 to **Senate Bill 633** offered by Senator Miller.

Senate amendment 1 to **Senate Bill 645** offered by Senator Risser.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read first time and referred:

Senate Bill 654

Relating to: participation of minor parents in Wisconsin Shares and granting rule–making authority.

By Senators Cogs and Taylor; cosponsored by Representatives Grigsby and Young.

To committee on **Children and Families and Workforce Development**.

Senate Bill 655

Relating to: safety standards for movable soccer goals, granting rule–making authority, and providing a penalty.

By Senators Erpenbach, Lassa and Risser; cosponsored by Representatives Roys, Berceau, Hebl, Hilgenberg, Pasch, A. Williams and Ripp.

To committee on **Commerce, Utilities, Energy, and Rail**.

Senate Bill 656

Relating to: construction of a rural dental education outreach facility in Marshfield, granting bonding authority, and making an appropriation.

By Senators Miller, Decker, Lassa, Kreitlow, Jauch, Holperin, Vinehout, Taylor and Hansen; cosponsored by Representatives Pocan, Sheridan, Vruwink, Sherman, Schneider, Molepske Jr., Dexter, Hraychuck, Hubler, Milroy, Seidel, Pasch, Bernard Schaber, Suder, Berceau, Grigsby, Hilgenberg and Kessler.

To joint committee on **Finance**.

PETITIONS AND COMMUNICATIONS

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

ASSEMBLY AMENDMENT 2, TO 2009 ASSEMBLY BILL 707

Prepared by the Legislative Reference Bureau
(March 25, 2010)

1. Page 1, line 8: delete “place.” and substitute “place”.
2. Page 1, line 8: delete “One” and substitute “One”.
3. Page 1, line 11: delete “located.” and substitute “located”.

REPORT OF COMMITTEES

The committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** reports and recommends:
Assembly Bill 588

Relating to: changes to the regulation of massage therapy and bodywork, creating the Massage Therapy and Bodywork Therapy Examining Board, and granting rule–making authority.

Concurrence.

Ayes, 6 – Senators Erpenbach, Carpenter, Lassa, Lazich, Kanavas and Darling.

Noes, 0 – None.

ANDERSON, REBECCA, of Milwaukee, as a member of the Psychology Examining Board, to serve for the term ending July 1, 2014.

Confirmation.

Ayes, 6 – Senators Erpenbach, Carpenter, Lassa, Lazich, Kanavas and Darling.

Noes, 0 – None.

LEAMAN, CAROLYNN, of Milwaukee, as a member of the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2014.

Confirmation.

Ayes, 6 – Senators Erpenbach, Carpenter, Lassa, Lazich, Kanavas and Darling.

Noes, 0 – None.

Senate Bill 388

Relating to: changes to the regulation of massage therapy and bodywork, creating the Massage Therapy and Bodywork Therapy Examining Board, and granting rule-making authority.

Adoption of Senate Amendment 1.

Ayes, 6 – Senators Erpenbach, Carpenter, Lassa, Lazich, Kanavas and Darling.

Noes, 0 – None.

Passage as amended.

Ayes, 6 – Senators Erpenbach, Carpenter, Lassa, Lazich, Kanavas and Darling.

Noes, 0 – None.

Senate Bill 608

Relating to: requiring the Department of Revenue to study income tax reciprocity with the state of Minnesota.

Passage.

Ayes, 6 – Senators Erpenbach, Carpenter, Lassa, Lazich, Kanavas and Darling.

Noes, 0 – None.

JON ERPENBACH

Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Legislative Reference Bureau**

March 30, 2010

To the Honorable, the Legislature:

The following rules have been published in the March 31, 2010 Wisconsin Administrative Register No. 651:

<u>Clearinghouse Rules</u>	<u>Effective Date(s)</u>
09-046	4-1-2010
09-055	4-1-2010
09-065	4-1-2010
09-072	4-1-2010
09-075	4-1-2010
09-083	4-1-2010
09-085	4-1-2010
09-089	4-1-2010
09-099	4-1-2010

Sincerely,

BRUCE J. HOESLY

Senior Legislative Attorney/Code Editor

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

TO 2009 SENATE JOINT RESOLUTION 62

Prepared by the Legislative Reference Bureau
(March 29, 2010)

- Page 1, line 1: before the relating clause, insert “*To create* section 27 of [article I of the constitution](#).”
- Page 1, line 1: change “**Relating**” to “**relating**”.

****NOTE: Corrects the title of the proposal to supply the enumeration of sections affected, pursuant to Joint Rule 56 (3) (b).

WHA Information Center

March 29, 2010

The Honorable, The Senate:

Enclosed is a hard copy of the Fiscal Year 2008 Guide to Wisconsin Hospitals produced by WHA Information Center pursuant to s.153.22, Wis. Stats. The report was posted on our Web site in October 2009. Please feel free to download and print additional copies.

If you have any questions regarding the report you may contact me at 608-274-1820, 800-231-8340 or jkachelski@wha.org.

Sincerely,
JOSEPH KACHELSKI
Vice President

**State of Wisconsin
Government Accountability Board**

March 30, 2010

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2009-2010 session of the legislature, visit the Government Accountability Board’s web site at: <http://ethics.state.wi.us/>.

Cook, Andrew	Association of American Publishers
Engel, Andrew	Association of American Publishers
McIntosh, Forbes	Wisconsin Dental Association
Osborne, Patrick	Association of American Publishers
Tyre, Scott	National Electrical Manufacturers Association
Wright, Kimberlee	Midwest Environmental Advocates, Inc.

Also available from the Wisconsin Government Accountability Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,
KEVIN KENNEDY
Director and General Counsel

**State of Wisconsin
Legislative Audit Bureau**

March 30, 2010

The Honorable, The Legislature:

As required by s. 13.94(1)(de), Wis. Stats., we have completed a financial audit of the Injured Patients and Families Compensation Fund, which insures health care providers in Wisconsin against medical malpractice claims that exceed the primary malpractice insurance thresholds established in statutes. The Fund is managed by the Office of the Commissioner of Insurance (OCI). We have provided an unqualified auditor’s report on the Fund’s financial statements for the fiscal years ending June 30, 2009, 2008, and 2007.

The Fund’s financial position has declined significantly over the last two years. Its audited financial statements show

negative net assets in the amount of -\$109.0 million as of June 30, 2009. In [2007 Wisconsin Act 20](#), the Legislature directed that \$200.0 million be transferred from the Fund to the Medical Assistance Trust Fund. The Injured Patients and Families Compensation Fund's financial position also has been affected by the recent downturn and instability in the economy and the investment markets. Further, the FY 2008-09 total of \$65.7 million in annual claim payments was the largest since the Fund's inception.

As recommended in past audits, actuarial audits are being completed every three years. However, OCI failed to request an evaluation of the appropriateness of the explicit loss liability risk margin and the investment return assumption as part of its 2008 actuarial audit, as had been recommended in our 2007

financial audit. We again recommend that OCI address these two areas in the next actuarial audit.

The Fund's computerized provider system had required correction by regular manual reviews and adjustments. However, the Fund recently implemented a new system, at a total cost of \$1.4 million. We will evaluate the adequacy of the new system as part of our next audit of the Fund.

We appreciate the courtesy and cooperation extended to us by the staff of OCI and the Fund's contractors. A response from OCI follows the appendices.

Sincerely,
JANICE MUELLER
State Auditor